

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

CRIMINAL CASE  
NO. 04-10149 RWZ

JOSE LUIS CRUZ

Defendant

REPORT & ORDER ON  
FINAL STATUS CONFERENCE

ALEXANDER, M.J.

On October 12, 2004, parties appeared before this Court for a Final Status Conference. With regard to the following issues, the parties have represented that:

1. There are no features of case that deserve special attention or modification of the standard schedule;
2. Discovery is complete and there are no pending motions;
3. There is no supplemental discovery anticipated;
4. (a) Total amount of time ordered excluded under the Speedy Trial Act: May 14, 2004, through June 11, 2004 (28 days); June 22, 2004, through July 14, 2004 (22 days); July 14, 2004, through September 14, 2004 (62 days) and September 14, 2004, through October 12, 2004 (28 days), for a total of one hundred and forty (140) days as of October 12, 2004. The time period from June 11, 2004, through June 22, 2004 (11 days) has not been excluded. **Upon (oral) motion of the parties and by ORDER of the Court, the government and defense will file a joint motion for any applicable periods of excludable delay for June 22, 2004, through July 14, 2004 (22 days); July 14, 2004, through September 14, 2004 (62 days) and September 14, 2004, through October 12, 2004 (28 days).** The total amount of time to proceed to trial is fifty-nine (59) days as of October 12, 2004;
5. (a) The defendant does not intend to raise a defense of insanity.  
(b) The defendant does not intend to raise a defense of public authority.

6. The Government has not requested notice of alibi by the defendant.
7. (a) There are no Motions to dismiss or suppress, or any other motion requiring a ruling by the District Court before trial.  
(b) There is no need for a briefing schedule;
8. There is no need for schedule concerning any matter in the case other than trial;
9. Resolution of case without trial is still possible at this time;
10. Trial is necessary. The estimated duration of trial is two (2) days;
11. There are no other matters.

IT IS HEREBY ORDERED THAT

Whereas all pre-trial matters referred to this Court by the District Judge have been resolved, the case is hereby returned to the District Judge.

HONORABLE JOYCE LONDON ALEXANDER  
UNITED STATES MAGISTRATE JUDGE  
By the Court:

/S/ Rex Brown  
Courtroom Clerk

January 4, 2005  
Date